

7. Public Outreach and Hearing Process for Redesignation, Regional Maintenance Plan Development and Future Ozone Air Management

Key Points:

- *Describes the Redesignation Outreach and Coordination Effort (Internal, Public, 3-State/LADCO)*
- *Notes the Redesignation Maintenance Plan and related Inventories and Public Hearing*
- *Describes stakeholder input and feedback on the Maintenance Plan*
- *Recognizes the public information effort on the health and air quality implications of moving from nonattainment to attainment status for 1-hour ozone*
- *Provides key public health and air quality program transition messages regarding 1-hr attainment demonstration approval, monitoring 1-hour ozone attainment AQ, receiving redesignation approval and finally redesignation to **nonattainment** for 8-hour ozone*
- *Describes a likely outreach process associated with any future contingent control evaluation and/or control measure adoption*

Stakeholder Outreach on the Redesignation Effort - Background

After monitoring data for the 2001 ozone season indicated that Wisconsin, along with the Illinois and Indiana portions of the Lake Michigan region, met the criteria for redesignation to attainment for the 1-hour ozone standard, Wisconsin DNR took steps to develop and implement a communication plan. The plan focused on informing and involving Wisconsin stakeholders in the process of applying to the U.S. Environmental Protection Agency (EPA) for redesignation.

Simultaneously, DNR staff initiated meetings through the Lake Michigan Air Directors Consortium (LADCO) with Illinois and Indiana (states in the Lake Michigan severe nonattainment area for the 1-hour ozone NAAQS), to discuss a regional application for redesignation. On October 2, 2001, a subgroup of the Lake Michigan Air Directors Consortium (LADCO) Project Team met with representatives of EPA-Region V to discuss redesignation of the Lake Michigan region. The subgroup held monthly conference calls and worked to develop a regional contingency plan (*see Chapter 5*).

An internal DNR working group, the Redesignation Coordination Group, began meeting monthly, or as necessary to coordinate the inventory development, contingency plan and maintenance plan preparation and the public outreach for the redesignation process.

The Department held periodic meetings with its advisory groups and task forces, to inform them about the redesignation process, solicit their input and keep them apprised through the development of the inventories, maintenance plan and contingency measures. These groups included the Clean Air Act Task Force, the Wisconsin Partners for Clean Air, the Interagency Air Quality Task Force and a Conformity Working Group (representing transportation and environmental interests). Working with the Air Coordination and Education Support Group, the working group crafted a work plan with timelines to meet key outreach and information objectives concurrent with the redesignation process milestones. Various information materials supported outreach to key industry stakeholder groups including slide presentations and question and answer materials. Information items were posted to a specified DNR web page.

Clean Air (Ozone) Redesignation – Process Initiation Meeting & Key Messages

On October 25, 2001, the Department held a joint meeting of the Wisconsin Partners for Clean Air and the Department's Clean Air Act Task Force. These two groups have mailing lists that total over 500 individuals representing local government, legislators, environmental and health organizations, businesses and industry, schools and individuals. Over 100 individuals attended the October meeting.

The October meeting focused on informing stakeholders about the monitoring data results, the process of redesignation and the implications for the area of redesignation. An emphasis was placed on reaching the business community, a principal audience who is most interested and affected by the potential regulatory changes associated with the changed status.

Information on the changes that attainment would bring, including an end to nonattainment area New Source Review (NSR) and VOC emissions offset requirements was provided. Contacts with FWHA and EPA also indicated a likely reduction in funding authorization for the Congestion, Mitigation and Air Quality (CMAQ) grants provided for nonattainment areas.

The meeting was moderated by the Chair of the Wisconsin Partners for Clean Air and presentations were made by the Department, U.S. EPA, the Wisconsin Lung Association and two private companies. The meeting focused on keeping the redesignation process in perspective, in light of the work still to be done to achieve compliance with the eight-hour ozone standard.

A key message for both the business community and the general public was that attaining the one-hour standard indicates substantial progress has been made to address the short-term acute health issues regarding ozone. Another message, however, is that there is more to be done (for public health related to ozone) and the next step is to address the long-term chronic health concerns of ozone. The message also emphasized that to maintain and continue our progress for healthier air, we need to actively maintain our SIP-based emission control programs (I/M, reformulated gasoline, Stage II vapor recovery, etc.) and our voluntary programs. The discussion underscored that as the state continues its efforts to achieve compliance with the eight-hour ozone standard, the interim working approach is to expand the efforts of voluntary programs and outreach.

Supplemental Information on the Redesignation Process and Implications

As a supplement to the meetings with stakeholders on the redesignation process, copies of meeting presentations, minutes, written materials and updates have been posted on the Air Management website. Following the October 25, 2001 meeting, a question and answer document was prepared and posted on a web-site specific to the effort. [Through the active period of the Redesignation Process that site address is:

http://www.dnr.state.wi.us/org/aw/air/hot/1hr_redes/index.htm.

A summary of the questions raised at the October 25 meeting and the responses given was prepared and reviewed by DNR and U.S. EPA staff. A meeting folder with handouts and other public information materials on ozone was distributed to all participants at the October 25 meeting.

General Air Quality Information and Outreach

In addition to the targeted outreach conducted for the ozone redesignation process, the DNR has ongoing public information programs for stakeholders and the general public to provide information on air quality. Both the Air Quality Index (AQI) and the Department's air quality hotline (1-866-Daily Air) are actively promoted and advertised through a CMAQ-funded radio and print ad campaign as well as through the Department's ongoing outreach (meetings, website and print materials).

Also, every ozone season, the Wisconsin Partners for Clean Air reviews and revises the Ozone Action Days program. This program is entering its 8th season and it is coordinated on a regional basis with the partner programs in Indiana, Illinois and Michigan. Daily forecasts are reviewed for the region and an Ozone Action Day message is issued for the following day when conditions are conducive to high ozone concentrations in the region. Notification is sent out over the National Weather Service wire, by fax to over 250 partners and media contacts, by

email and announcements are made on the radio, TV and posted on the Department's and other linked websites.

The Department's Air Management web-site includes access to the monitoring data and is linked to the U.S. EPA's AirNow ozone mapping program. This effort makes use of a website to provide regularly updated maps showing the Air Quality Index (AQI) readings in color for the participating states. The maps are intended to provide real-time air quality information and provide a snapshot forecast map.

Public Outreach regarding the Contingency Measures & Regional Plan

The regional contingency measures plan provides for different levels of response and action based on either the monitored ambient levels of ozone or significant increases in NO_x or VOC emission levels above the base year emission inventory level. Potential contingency measures are listed for these actions. A public involvement process is a critical part of the contingency response and any determination of need or selection for contingent control measures.

In the case of an action that would occur in response to a violation or exceedance during 2005 and 2007, the Department is to work cooperatively on a study and potentially revise the maintenance plan, if appropriate to maintain or necessary to re-achieve attainment air quality. The Department will inform key stakeholders about any study and solicit input on any proposed maintenance plan revisions through meetings with the Clean Air Act Task Force, the Interagency Air Quality Task Force, the Wisconsin Partners for Clean Air and the Conformity Working Group. Materials posted on the Department's website and any necessary press releases will supplement these meetings.

If a Level 1 or 2 Trigger occurs between 2008 – 2012, the Department will assess the exceedance and conduct a thorough analysis, as necessary. The Department has 24 months to implement controls or contingency measures if they are deemed necessary as part of the regional process. Before any contingency measure is selected, the Department will develop a public involvement plan to inform key stakeholders and the general public and develop a more focused process for soliciting input on the potential contingency measures. Key stakeholder groups include the Clean Air Act Task Force, the Interagency Air Quality Task Force, the Wisconsin Partners for Clean Air and the Conformity Working Group.

No contingency measure will be implemented without providing the opportunity for full public participation. At minimum, that process will include:

- the publication of notices
- a hearing and an opportunity for public input on the relative costs and benefits of individual measures at the time they are under consideration.

Public Hearing on the Redesignation Request and the Maintenance Plan

In accordance with Section 110 42 USC 7410(a)2 of the federal Clean Air Act, the public participation in the SIP process for redesignation included a notice of availability of the ozone redesignation documents for the Southeastern Wisconsin nonattainment area and the date, time and location of the public hearing was published in the Wisconsin State Journal and the Wisconsin Milwaukee Journal/Sentinel on May 25, 2002.

The Public Hearings to receive comments on the redesignation request are currently scheduled for June 24, 2002 at Balkansky Room at the Manitowoc Public Library, Manitowoc and on June 27, 2002 at 9:00 a.m. at the DNR Southeast Region Headquarters, 2300 Dr. Martin Luther King Jr. Drive, Milwaukee, WI. A summary of the comments received and Wisconsin DNR's response to the comments will be included as an appendix prior to submittal to U.S. EPA.

Listing of Technical Appendices to the Redesignation Request

Draft Document for Public Hearing – May 20, 2002 – Appendices not attached are available upon request as noted

Chapter 3 – Achieving Air Quality Attainment

Appendix 3-1 – AQ Data and Ozone Trends in the Lake Michigan Area
[LADCO 2002] in final development – available from LADCO & DNR by June 15, 2002.

Chapter 4 – Establishing the Basis for Air Quality Improvement leading to Ozone NAAQS Attainment

Appendix 4-1 – Redesignation Inventories – Support Document

Appendix 4-2 – A Real and Permanent Emissions Reduction Demonstration based on Federal, Regional and State/NAA Ozone SIP emission control programs

Appendix 4-3 – Mobile Sector Inventory- Technical Modeling Documentation

Chapter 5 – Maintaining 1-Hour Ozone Attainment into the Future

Appendix 5-1 – Synopsis of the Lake Michigan Attainment Demonstration with regard to Wisconsin's Approved Attainment Demonstration SIP

Appendix 5-2 – Reconciliation of 2007 Attainment and Maintenance Inventories